

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: November 5, 2007

Signature: 

(Mary Jane Palma)

Docket No.: JHUC-P01-021  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Hanes et al.

Application No.: 10/587,512

Confirmation No.: 3582

Filed: July 26, 2006

Art Unit: Not Yet Assigned

For: DRUGS AND GENE CARRIER PARTICLES THAT  
RAPIDLY MOVE THROUGH MUCUS BARRIERS

Examiner: Not Yet Assigned

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements of Application mailed April 12, 2007 (copy enclosed) Applicant respectfully submits a Combined Declaration and Power of Attorney, an Application Data Sheet, and a Petition for Extension of Time.

The Notice states that additional claim fees of \$1,050.00 are required, however, authorization to charge the 8 additional claims over 20 and the multiple dependent claims fee was noted on the enclosed copy of the Transmittal Letter to the (DO/EO/US). No further claims fees are believed to be due.

Please charge our Deposit Account No. 18-1945 in the amount of \$1,180.00 covering the fees for the 5 month extension of time and the surcharge under 37 CFR 1.27. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. JHUC-P01-021.

Dated: November 5, 2007

Respectfully submitted,

By 

David P. Halstead, J.D., Ph.D.

Registration No.: 44,735

ROPES & GRAY LLP

One International Place

Boston, Massachusetts 02110

(617) 951-7000

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Attorneys/Agents For Applicant



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/587,512	Justin Hanes	JHUC-P01-021

INTERNATIONAL APPLICATION NO.	
PCT/US05/02556	
I.A. FILING DATE	PRIORITY DATE
01/28/2005	01/28/2004

28120  
 FISH & NEAVE IP GROUP  
 ROPES & GRAY LLP  
 ONE INTERNATIONAL PLACE  
 BOSTON, MA 02110-2624

Ropes &amp; Gray

APR 16 2007

Intellectual Property Dept.

CONFIRMATION NO. 3582

371 FORMALITIES LETTER



\*OC000000023360944\*

Date Mailed: 04/12/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- o Indication of Small Entity Status
- o Copy of the International Application filed on 07/26/2006
- o Copy of the International Search Report filed on 07/26/2006
- o Preliminary Amendments filed on 07/26/2006
- o Information Disclosure Statements filed on 07/26/2006
- o Small Entity Statement filed on 07/26/2006
- o Request for Immediate Examination filed on 07/26/2006
- o U.S. Basic National Fees filed on 07/26/2006
- o Priority Documents filed on 07/26/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- o Additional claim fees of **\$1050** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- o Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- o To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

COPY  
 SENT TO  
 NY/PA/DC  
 BY WAM.

File No.: JHUC-P01-021  
 Action Desc: Missing Parts.  
 Due Date: 6/12/07  
 By: BAN

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$1115** for a Small Entity:

- o **\$65** Surcharge.
- o Total additional claim fee(s) for this application is **\$ 1050**
  - **\$1050** for **50** total claims over 20.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/587,512	PCT/US05/02556	JHUC-P01-021

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

<b>FEE TRANSMITTAL</b> <b>For FY 2008</b> Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).		<b>Complete if Known</b>		
		Application Number	10/587,512	
		Filing Date	July 26, 2006	
		First Named Inventor	Justin Hanes	
		Examiner Name	Not Yet Assigned	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Art Unit	Not Yet Assigned	
TOTAL AMOUNT OF PAYMENT	(\$)	1,180.00	Attorney Docket No.	JHUC-P01-021

**METHOD OF PAYMENT** (check all that apply)

☐ Check    ☐ Credit Card    ☐ Money Order    ☐ None    ☐ Other (please identify): \_\_\_\_\_  
☒ Deposit Account    Deposit Account Number: 18-1945    Deposit Account Name: Ropes & Gray LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below    ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17    ☒ Credit any overpayments

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	310	155	510	255	210	105	
Design	210	105	100	50	130	65	
Plant	210	105	310	155	160	80	
Reissue	310	155	510	255	620	310	
Provisional	210	105	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	210	105
Multiple dependent claims	370	185

Total Claims    Extra Claims    Fee (\$)  
 \_\_\_\_\_ - = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_  
 Fee Paid (\$)  
 Multiple Dependent Claims  
 Fee (\$)  
 Fee Paid (\$)  
 \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims    Extra Claims    Fee (\$)  
 \_\_\_\_\_ - = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_  
 Fee Paid (\$)  
 \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

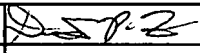
11/09/2007 GFREY1    00000052 181945    10587512  
 02 FC:2617    65.00 DA

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets    Extra Sheets    Number of each additional 50 or fraction thereof    Fee (\$)  
 \_\_\_\_\_ - 100 = \_\_\_\_\_ / 50 = \_\_\_\_\_ (round up to a whole number) x \_\_\_\_\_ = \_\_\_\_\_  
 Fee Paid (\$)  
 \_\_\_\_\_

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)  
 Other (e.g., late filing surcharge): 2255 Extension for response within fifth month    1,115.00  
 2051 Surcharge-Late oath or declaration    65.00

<b>SUBMITTED BY</b>			
Signature		Registration No. (Attorney/Agent)	44,735
Name (Print/Type)	David P. Halstead, J.D., Ph.D.	Telephone	(617) 951-7615
		Date	November 5, 2007

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: November 5, 2007

Signature:  (Mary Jane DiPalma)